### UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF GEORGIA ATLANTA DIVISION

MARCUS L. SKEEN, on his behalf and others similarly situated,

Plaintiff, : CIVIL ACTION FILE NO.:

1:16-CV- 01270-WSD

**v.** 

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:

JSJ EXPRESS, INC. and JAMES: SHERMAN, JR., Individually and as: The President and CEO of the corporate Defendant, :

:

Defendants.

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# NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE PURSUANT TO F.R.C.P. 41(a)(1)(A)(i)

Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, the Plaintiff, Marcus L. Skeen, and or his counsel, hereby give notice that the above-captioned action is voluntarily dismissed, without prejudice, against the Defendants. None of the Defendants have filed an Answer nor moved for summary judgment so that voluntary dismissal without prejudice is appropriate under the voluntary dismissal procedures of F.R.C.P. 41(a)(1)(A)(i).

Dated this 29<sup>th</sup> day of September 2017.

## PANKEY & HORLOCK, LLC

By: /s/ Larry A. Pankey

Larry A. Pankey

Georgia Bar No. 560725 **Attorneys for Plaintiff** 

1441 Dunwoody Village Parkway

Suite 200

Atlanta, Georgia 30338-4122 Telephone: 770-670-6250 Facsimile: 770-670-6249

Email: LPankey@PankeyHorlock.com

**CERTIFICATION OF FONT SIZE** 

Pursuant to Local rule 5.1C of the Local Rules of the United States District

Court for the Northern District of Georgia, I, Larry A. Pankey, Esq., of Pankey &

Horlock, LLC, attorney for Plaintiff, Marcus L. Skeen, hereby certify that

Plaintiff's Notice Of Voluntary Dismissal Without Prejudice Pursuant To

F.R.C.P. 41(a)(1)(A)(i) is typewritten in MS Word using Times New Roman font,

fourteen (14) point type.

Dated this 29<sup>th</sup> day of September 2017.

PANKEY & HORLOCK, LLC

By: <u>/s/ Larry A. Pankey</u>

Larry A. Pankey

Georgia Bar No. 560725

**Attorneys for Plaintiff** 

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### **CERTIFICATE OF SERVICE**

I hereby certify that on this day, I electronically filed Plaintiff's **Notice Of Voluntary Dismissal Without Prejudice Pursuant To F.R.C.P. 41(a)(1)(A)(i)**with the Clerk of Court using the CM/ECF system and sent notification of such filing, via U.S Mail, to the following Defendant:

James Sherman, Jr. 7325 Watonga Way Riverdale, Georgia 30296 Dated this 29<sup>th</sup> day of September 2017.

## PANKEY & HORLOCK, LLC

By: /s/ Larry A. Pankey

Larry A. Pankey

Georgia Bar No. 560725 **Attorneys for Plaintiff** 

1441 Dunwoody Village Parkway Suite 200

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